

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Duane Keenan Jr. )  
 )  
 )  
Application No.: 10/770,351 ) Group Art Unit: 2174  
 )  
Filed: February 2, 2004 ) Examiner: Sax, Steven Paul  
For: Energy and Cost Savings Calculation System

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**  
**PURSUANT TO 37 C.F.R. § 1.104 (e)**

Sir:

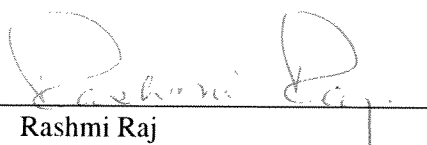
In response to the Statement of Reasons for Allowance in the Notice of Allowability dated September 29, 2008, the following comments are submitted.

While applicants believe that the claims are allowable and patentably distinguish over the prior art, applicant does not acquiesce that patentability resides in each feature, exactly as expressed in the claims, nor that each and every feature is required for patentability. And, applicant submits that patentability is based on the claimed invention as a whole, and not solely on one or more particular features recited in the allowed claims.

Respectfully submitted,

Date: Nov. 3, 2008

By:

  
Rashmi Raj  
Registration No. 50,500

**CUSTOMER NO. 28524**

Siemens Corporation  
170 Wood Ave. South  
Iselin, NJ 08830  
Phone: 732-321-3872